

**AMENDMENTS TO THE CLAIMS**

The following is a complete, marked up listing of revised claims with a status identifier in parentheses, underlined text indicating insertions, and strikethrough and/or double-bracketed text indicating deletions.

**LISTING OF THE CLAIMS**

1-12. (Cancelled)

13. (Previously Presented) A method of forming a recording medium, comprising:  
forming an information area for recording disc management information and/or data;

recording disc identification information identifying a type of computer readable medium in an area preceding the lead-in area, the type being selected from a set of media types, the set of media types including Read-Only, Recordable and Rewritable type; and

the disc identification information being formed as a physical mark, the physical mark being a pit type, the pit type selected from at least one of wobbled pits and straight pits, wherein the physical mark provides control information for controlling a reproduction of data recorded as straight pits on a data area of the recording medium and is formed along a modulated unique pattern, wherein if the pit type is wobbled pits, at least a part of the wobbled pits forming the physical mark is shifted from a central line of the wobbled pits, and wherein the modulated unique pattern represents encryption information used in encrypting data of the data area.

14-16. (Cancelled)

17. (Previously Presented) The method of claim 13, wherein the physical mark is formed on a position of the recording medium being detectable at an initial stage of a servo operation carried out in an optical disc apparatus, separately from a decoding operation to be carried out in the optical disc apparatus.

18. (Cancelled)

19. (Previously Presented) The method of claim 13, further comprising:  
recording copy management information indicating whether duplication of the data is allowed on the recording medium.

20. (Currently Amended) A method of reproducing data from a recording medium, including a lead-in area, a data area and a lead-out area, comprising:  
detecting physical mark information recorded as a pit type from an specific area of preceding the lead-in area, the physical mark information representing and disc identification information identifying a type of computer readable medium from an area preceding the lead-in area, the pit type having been selected from at least one of wobbled pits and straight pits in the specific area of the lead-in area in the area preceding the lead-in area that is not writable by end user recorders, the type being selected from a set of media types, the set of media types including one of Read-Only, Recordable and Rewritable type, the physical mark information being formed along a modulated unique pattern, wherein if the pit type was wobbled pits, at least a part of the wobbled pits forming the physical mark information is shifted from a central line of the wobbled pits; and

controlling a reproduction of data recorded as straight pits from the data area based on the detected physical mark information ~~and the disc identification information.~~

21-22. (Cancelled)

23. (Cancelled)

24. (Previously Presented) The method of claim 23, wherein the controlling step controls the reproduction by utilizing the detected physical mark information formed along the modulated unique pattern which represents encryption information used in encrypting data of the data area.

25-40. (Cancelled)

41. (Previously Presented) The method of claim 24, wherein the controlling step further controls a reproduction of a recording medium by utilizing copy management information recorded on the recording medium indicating whether duplication of data is allowed in such a manner that the reproduction is performed if the duplication is allowed.

42. (Currently Amended) An apparatus for reproducing data from a recording medium including a lead-in area, a data area and a lead-out area, comprising:

an optical pickup configured to detect physical mark information recorded as a pit type from a specific an area of preceding the lead-in area, the physical mark information representing ~~and~~ disc identification information identifying a type of

recording medium ~~from an area preceding the lead-in area~~, the pit type selected from at least one of wobbled pits and straight pits in the area preceding the lead-in area ~~that is the specific area of the lead-in area~~ not writable by end user recorders, the type being selected from a set of media types, the set of media types including one of Read-Only, Recordable and Rewritable type, the physical mark information being formed along a modulated unique pattern, wherein if the pit type is wobbled pits, at least a part of the wobbled pits forming the physical mark information is shifted from a central line of the wobbled pits; and

a controller configured to control a reproduction of data recorded as straight pits from the data area based on the detected physical mark information.

43-44. (Cancelled)

45. (Previously Presented) The apparatus of claim 44, wherein the controller is configured to control the reproduction by utilizing the detected physical mark information formed along the modulated unique pattern which represents encryption information used in encrypting data of the data area.

46. (Previously Presented) The apparatus of claim 45, wherein the controller is configured to control the optical pickup to reproduce data based on copy management information recorded on a medium, the copy management information indicating whether duplication of data is allowed.

47-48. (Cancelled)

49. (Currently Amended) A method of forming a recording medium, comprising:

forming an information area for recording disc management information and/or data; and

forming physical mark information as a pit type, the pit type selected from at least one of wobbled pits and straight pits in ~~an specific area of~~ preceding a lead-in area of the recording medium, wherein the physical mark information provides control information for controlling a reproduction of data recorded as straight pits on a data area of the recording medium and is formed along a modulated unique pattern, wherein if the pit type selected is wobbled pits, at least a part of the wobbled pits forming the physical mark information wobble in a non-overlapping manner with respect to a central line of the wobbled pits, and wherein the modulated unique pattern represents encryption information used in encrypting data of the data area, the physical mark information identifying a type of the recording medium ~~in an area preceding the lead-in area~~, the type being selected from a set of media types, the set of media types including one of Read-Only, Recordable and Rewritable type.

50. (Currently Amended) The method of claim 49,

wherein the pit type selected from at least one of wobbled pits and straight pits ~~in a specific area of a lead in area of the recording medium~~ is based on the type of the recording medium.

51. (Currently Amended) The method of claim 13, wherein the pit type selected from at least one of wobbled pits and straight pits ~~in a specific area of a lead in area of the recording medium~~ is based on a type of the recording medium.